

BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – December 6, 2016

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:00 P.M.

Mayor McDonald read the following statement into the record:

“The requirements of the ‘Open Public Meetings Law, P.L. 1975, Chapter 231’ have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.”

Frank Bailey of Boy Scout Troop 146 in White Township was in the audience and led everyone in the flag salute.

Roll Call: Conry, Heinrich, Higgins, Klimko, McDonald, Noone, Thompson

Absent: None

Also Present: Ann Kilduff, Borough Clerk; Matthew Hall, Borough Manager; Dawson Bloom, Borough Engineer; Lieutenant Teter; and Councilwoman-elect Cynthia Valle

CORRESPONDENCE

A motion was made by Higgins, seconded by Thompson, to receive and file the correspondence.

1. Letter to Chief Cicerelle re: Election Day
2. Letter to Mayor and Council re: Election Day

Ayes: 7 Nays: 0

Motion Carried

MINUTES

Regular Meeting Minutes November 14, 2016

A motion was made by Heinrich, seconded by Klimko, to approve the Regular Meeting minutes of November 14, 2016.

Ayes: 7 Nays: 0

Motion Carried

Executive Session Minutes of the Regular Meeting of November 14, 2016. (Proofed for Content Only)

A motion was made by Heinrich, seconded by Klimko, to approve the Executive Session Minutes of the Regular Meeting held November 14, 2016.

Ayes: 7 Nays: 0

Motion Carried

AUDIENCE

Mayor McDonald opened up the audience portion for remarks, petitions, statements and testimony from guests.

Kathy LaCorte – 5 E. Washington Avenue

K. LaCorte spoke of the inconvenience in front of her business due to the newly painted yellow curbing that takes two parking spots away. She feels residents who park at the yellow curb should be given warnings rather than tickets. K. LaCorte feels there is a need for an additional handicap parking spot. Mayor McDonald suggested the Streets Committee could review her request. Lieutenant Teter stated residents who had parked at the yellow curb in front of her business were issued warnings. The curbs were painted to provide ample space for a turning radius and the area could be used for loading purposes. Councilman Higgins explained since Route 57 is a State Highway, the State dictates how many handicap spaces and where they are located. Councilwoman Klimko stated they are working on repainting the second handicap space. Lieutenant Teter explained the loading area to K. LaCorte.

Andrew Turner – 300 Belvidere Avenue

A. Turner stated he would like to be a member of the Open Space Oversight Committee once it's formed. He stated the meeting minutes need to continue to be uploaded on a regular basis and that the website is in need of updating.

John Monteverde – BID Director

J. Monteverde reminded everyone of the Hometown Holiday this Friday and encouraged everyone to attend. He thanked Councilwoman Klimko and those who helped with the tree.

Reverend Bauknight – Mt. Pisgah Church

Reverend Bauknight stated their Thanksgiving service showed an increase in participation. She thanked Lieutenant Teter and the Police Department for working well with various parishes and providing various safety tips. Reverend Bauknight thanked the Fire Department for suggestions on bringing churches up to code.

Hearing no further comments, a motion was made by Heinrich, seconded by Thompson, to close the audience portion of the meeting.

Ayes: 7 Nays: 0
Motion Carried

REPORTS

A motion was made by Higgins, seconded by Conry, to receive and file the following reports:

1. Washington Township Police – Press Release for November 11, 2016
2. Washington Township Police – Press Release for November 21, 2016
3. Washington Township Police – Press Release for November 27, 2016
4. Board of Health Report for October
5. Municipal Court Report for October

6. Zoning/Code Enforcement Monthly Report for November
7. Manager's Personnel Report for November

Ayes: 7 Nays: 0
Motion Carried

COMMITTEE REPORTS

Councilwoman Klimko stated the State advised the Township Engineer that they would like a portion of the work done at night for the Midblock Crosswalk. D. Bloom explained. Councilman Higgins stated the Department of Transportation will be in the Borough to discuss the potential closing of Railroad Avenue. A public meeting will follow if needed. D. Bloom updated Council on the unfinished paving at Heather Hill and the drainage issues on McKinley Avenue. Councilman Higgins stated the storm drain at the Middle School has been completed and will be repaved in the Spring. The municipal parking lot needs to be sealed and some of the lights are not working. Lieutenant Teter explained the solar powered signs on Alvin Sloan Avenue. D. Bloom stated the Streets Committee is working on projects to bring before Council for consideration when applying for grant money.

OLD BUSINESS

Ordinance 2-2014 – An Ordinance Providing Funding for Various Capital Purposes for the Borough of Washington and Appropriating \$264,000 for Such Purposes (Re-Introduction)

**ORDINANCE NO. 2-2014
BOROUGH OF WASHINGTON
AN ORDINANCE PROVIDING FUNDING FOR VARIOUS CAPITAL PURPOSES
FOR THE BOROUGH OF WASHINGTON AND APPROPRIATING
\$264,000 FOR SUCH PURPOSES**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. the Borough of Washington, in the County of Warren, New Jersey, authorizes various capital improvements to be undertaken, including but not limited to: the purchase of fire gear, 4x4 truck, boiler replacement, various road improvements, including but not limited to milling and paving of Green Street, Davis Street, Youmans Avenue East, and Taylor Street, fire suppression system and sediment control in air conditioning unit for the Borough of Washington to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$264,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Capital Improvement Fund in the amount of \$264,000.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Washington may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

A motion was made by Heinrich, seconded by Noone to re-introduce Ordinance 2-2014.

ROLL CALL: Heinrich, Noone, Conry, Higgins, Klimko, Thompson, McDonald

Ayes: 7; Nays: 0

Motion Carried

The Clerk read Ordinance 2-2014 by title only. A motion was made by Conry, seconded by Thompson, to re-introduce Ordinance 2-2014 on first reading.

ROLL CALL: Conry, Thompson, Heinrich, Higgins, Klimko, Noone, McDonald

Ayes: 7; Nays: 0

Motion Carried

The Clerk stated the public hearing of Ordinance 2-2014 will be December 20, 2016 and Advertisement of the public hearing will be in the Star Gazette on December 9, 2016.

A motion was made by Heinrich, seconded by Conry, to approve the advertisement of the public hearing of Ordinance 2-2014.

ROLL CALL: Heinrich, Conry, Higgins, Klimko, Noone, Thompson, McDonald

Ayes: 7; Nays: 0

Motion Carried

Ordinance 1-2016 – An Ordinance of the Borough of Washington Creating Chapter ____, Article ____, Section ____ of the Code of the Borough of Washington Authorizing and Regulating the Use of Fire Pits and Chimineas and Liquefied Petroleum-Gas-Fire Cooking Devises (Re-Introduction)

ORDINANCE # 1-2016

AN ORDINANCE OF THE BOROUGH OF WASHINGTON CREATING CHAPTER ____, ARTICLE _____, SECTION _____, OF THE CODE OF THE BOROUGH OF WASHINGTON AUTHORIZING AND REGULATING THE USE OF FIRE PITS AND CHIMINEAS & LIQUEFIED PETROLEUM-GAS-FIRE COOKING DEVICES

WHEREAS, the Borough Council of the Borough of Washington (“Borough”) determines that outdoor fire can pose a significant hazard to the public health, safety, general welfare, and the quality of life of the residents of the Borough; and

WHEREAS, many residents seek to use and enjoy fire pits, chimineas, and like devices; and

WHEREAS, the Borough Council, pursuant to its regulatory authority, seeks to regulate outdoor fires to protect the safety, well-being and quality of life of all persons within the Borough; and

WHEREAS, this Ordinance will permit the Borough Council to authorize and regulate the use of fire pits, outdoor fireplaces, and chimineas.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Common Council of the Borough of Washington, County of Warren, State of New Jersey, as follows:

Section One: Fire Pits and Chimineas, A new Article _____, of the Borough Code, entitled “Fire Pits and Chimineas”, is hereby created so the same shall read as follows:

Section _____: Fire Pits and Chimineas.

Fire pits, chimineas, outdoor fireplaces, and other similar devices are authorized within the Borough boundaries subject to the restrictions set forth in this Chapter.

Section _____. Restrictions.

- (a) Only firewood, wood pellets or coal may be burned in a fire pit, chiminea, outdoor fireplace, or other similar device within the Borough. No trash or other waste such as garbage, leaves, yard waste, brush, vines, evergreen needles, construction debris, rubbish, plastic materials, leather, furniture, engineered and architectural wood or petroleum based materials may be used to fuel any fire in any such device.
- (b) Kindling may be used to start a fire.
- (c) No outdoor fire, whether in a fire pit, chiminea, or the like, may be left unattended.

Section _____. Enforcement.

- (a) This Ordinance shall be administered by the Washington Borough Department of Fire Prevention, Washington Fire Department on Duty Officer or Senior Firefighters, Washington Township Police Department.
- (b) Anyone authorized to enforce this ordinance shall have the authority to immediately cause any person using a fire pit, chiminea, outdoor fireplace or like device within the Borough boundaries to extinguish the same if the enforcement official believes that the use of the fire pit, outdoor fireplace, chiminea, or like device is in violation of this ordinance.

Section _____, Penalties.

Any individual, person, firm, or corporation, violating any of the provisions of this ordinance shall be liable to a fine no less than \$50.00 and no more than \$500.00.

Section Two: Prohibited open burning.

Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Section Three: Recreational Fires.

Recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition.

Section Four: Protection.

A minimum of one portable fire extinguisher with a minimum 4-A rating or other approved on site fire-extinguisher equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

Section Five: Open-flame cooking devices and outdoor fire-places.

Charcoal burners, other open-flame cooking devices and outdoor fireplaces shall not be operated or stored on combustible balconies or decks or within 5 feet (1524 mm) of combustible construction.

Section Six: Liquefied-petroleum-gas-fueled cooking.

Portable LP-gas cooking equipment such as barbecue grills and outdoor fireplaces shall not be stored or used:

1. On any porch, balcony or any other portion of a building;
2. Within any room or space of a building
3. Within 5 feet (1524 mm) of any combustible exterior wall;
4. Within 5 feet (1524 mm), vertically or horizontally, of an opening in any wall; or
5. Under any building overhang.

Section Seven: If any section, subdivision, paragraph, clause, or provision of this ordinance shall be adjusted invalid, such adjudication shall apply only to such section, subdivision, paragraph, clause, or provision and the remainder of this ordinance shall be deemed valid and effective. All ordinances or parts of ordinance inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section Eight: This ordinance shall become effective upon final passage and publication according to law.

A motion was made by Noone, seconded by Conry to re-introduce Ordinance 1-2016.

ROLL CALL: Noone, Conry, McDonald

Ayes: 3; Nays: 3 (Heinrich, Higgins, Klimko); Abstentions: 1 (Thompson)

Motion Failed

Based on the discussion during the Streets Committee report, a motion was made by Noone, seconded by Conry, to reject the bids for the Midblock Crosswalk and go out to bid again.

ROLL CALL: Noone, Conry, Heinrich, Higgins, Klimko, Thompson, McDonald

Ayes: 7; Nays: 0

Motion Carried

Councilwoman Noone would like the Borough Manager to find the best ordinance for the Borough with regards to abandoned properties. Council discussed. M. Hall explained the process and will work with the Borough Attorney.

NEW BUSINESS

A motion was made by Higgins, seconded by Thompson to approve St. Joseph's Bingo Application and Pull Tab Application for 2017.

Ayes: 7; Nays: 0

Motion Carried

Resolution #179-2016 – A Resolution for Redemption of Tax Certificate as per NJSA 54:5 – Block 10, Lot 7

RESOLUTION #179-2016 **A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE** **As per N.J.S.A.54:5**

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 21, 2016 to FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876, in the amount of \$334.01 for taxes or other municipal liens assessed for the year 2015 in the name of Chrisafis, James & Donna as supposed owners, and in said assessment and sale were described as 166 W. Washington Ave., Block 10 Lot 7, which sale was evidenced by certificate #16-00014; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 11-16-16 and before the right to redeem was cut off, as provided by law, Fiedler Real Estate claiming to have an interest in said lands, did redeem said lands claimed by FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$856.63 which is the amount necessary to redeem Tax Sale Certificate #16-00014.

NOW THEREFORE BE IT RESOLVED, on this 6th day of December, 2016 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876 in the amount of **\$1,856.63** (This consists of \$856.63 Certificate Amount redeemed + \$1,000.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 10 Lot 7 from the tax office records.

Resolution 179-2016 was moved on a motion by Conry, seconded by Heinrich, and approved.

ROLL CALL: Conry, Heinrich, Higgins, Klimko, Noone, Thompson, McDonald
Ayes: 7; Nays: 0
Motion Carried

Resolution #180-2016 – A Resolution for Redemption of Tax Certificate as per NJSA 54:5 - Block 70, Lot 17.01

RESOLUTION #180-2016
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 21, 2016 to FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876, in the amount of \$669.06 for taxes or other municipal liens assessed for the year 2015 in the name of Mitchell, John L. Jr. as supposed owner, and in said assessment and sale were described as 48 Flower Ave., Block 70 Lot 17.01, which sale was evidenced by certificate #16-00048; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 11-18-16 and before the right to redeem was cut off, as provided by law, Comerica Bank on behalf of Caliber Home Loans claiming to have an interest in said lands, did redeem said lands claimed by FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,198.38 which is the amount necessary to redeem Tax Sale Certificate #16-00048.

NOW THEREFORE BE IT RESOLVED, on this 6th day of December, 2016 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876 in the amount of **\$2,498.38** (This consists of \$1,198.38.63 Certificate Amount redeemed + \$1,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 70 Lot 17.01 from the tax office records.

Resolution 180-2016 was moved on a motion by Conry, seconded by Heinrich, and approved.

Roll Call: Conry, Heinrich, Higgins, Klimko, Noone, Thompson, McDonald
Ayes: 7; Nays: 0
Motion Carried

Resolution 181-2016 – Memorandum of Understanding By and Between the State of New Jersey Office of Emergency Management and the Borough of Washington

Resolution 181-2016 was moved on a motion by Noone, seconded by Klimko, and approved.

Ayes: 7; Nays: 0
Motion Carried

Resolution 182-2016 – Resolution Authorizing the Execution of a Lease Agreement between the Borough of Washington, County of Warren and the New Jersey Department of Transportation

RESOLUTION 182-2016
RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT
BETWEEN THE BOROUGH OF WASHINGTON, COUNTY OF WARREN
AND THE NEW JERSEY DEPARTMENT OF TRANSPORTATION

WHEREAS, the New Jersey Department of Transportation has offered to lease a small parcel located on the corner of Route 31 and Route 57, known as Route 30, Section 9, Parcels W40 and 41X, more commonly known as Lot 7.01 of Block 26 in the Borough of Washington, to the Borough of Washington, on a month to month basis; and

WHEREAS, the Borough is currently utilizing this parcel as a passive park housing the Washington Borough sign, three (3) flag poles, and landscaping and is desirous of continuing to do so.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Washington, County of Warren authorizes the Borough Manager to execute a month to month lease agreement with the New Jersey Department of Transportation.

BE IT FURTHER RESOLVED that the Borough shall pay a monthly rent of one dollar (\$1.00) per month in advance.

Resolution 182-2016 was moved on a motion by Noone, seconded by Conry, and approved.

Council Discussion

M. Hall explained this resolution was revised to include the three flag poles and landscaping in that area. J. Montverde updated Council on the wind damage to the sign and its replacement.

Ayes: 7; Nays: 0
Motion Carried

Resolution 183-2016 – Resolution Supporting the Creation of Handicapped Parking Spaces and Zones along NJ Route 57 (Washington Avenue)

RESOLUTION 183-2016

RESOLUTION SUPPORTING THE CREATION OF HANDICAPPED PARKING SPACES AND ZONES ALONG NJ ROUTE 57 (WASHINGTON AVENUE)

WHEREAS, the Borough of Washington (“Borough”) has requested a survey of handicapped parking locations along Route 57 (“Washington Avenue”) from the New Jersey Department of Transportation (“NJDOT”), and desires to establish an appropriate number of *Handicapped Parking Spaces*, as well as a *Handicapped Parking Zone*; and

WHEREAS, pursuant to N.J.S.A. 39:4-8-4(c), the Borough is required to adopt a resolution of support for promulgation of a *Traffic Regulation Order* (TRO); and

WHEREAS, in accordance with the provisions of N.J.S.A. **39:4-197.5**, the following street locations are designated as *Handicapped Parking Spaces*, which are for use by persons who have been issued special identification cards, plates, or placards by the New Jersey Division of Motor Vehicles, or a temporary placard issued by the Chief of Police, no other person shall be permitted to park in these spaces; and

WHEREAS, in accordance with the provisions of N.J.S.A. **39.4-197.6**, the following street locations are designated as *Handicapped Parking Zones* in front of a residence occupied by a handicapped person, which are for a vehicle owned by the handicapped person or by another occupant of the residence who is a member of the immediate family of the handicapped person, and equipped with a windshield placard or wheelchair symbol license plates issued by the New Jersey Division of Motor Vehicles, and no other person shall be permitted in these spaces;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the following areas be designated as *Handicapped Parking Spaces*:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
NJ Route 57 (Washington Avenue)	South	Beginning at a point 241 feet east of the easterly curb line of South Wandling Avenue and extending to a point 22 feet easterly therefrom.
NJ Route 57 (Washington Avenue)	South	Beginning at a point 71 feet east of the easterly curb line of Broad Street and extending to a point 22 feet easterly therefrom.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the following areas be designated as *Handicapped Parking Zones*:

<u>Name of Street</u>	<u>Side</u>	<u>Plate/Placard #</u>	<u>Location</u>
NJ Route 57 (Washington Avenue)	North	P1595709	Beginning at a point 117 feet

west of the westerly curb line
of Grand Avenue to a point
22 feet westerly therefrom.

The Borough of Washington concurs that any currently approved Handicapped Parking locations, except those listed above, no longer exist and are to be deleted from the current NJDOT Regulation files, and that any other approved traffic regulation(s) in conflict with or inconsistent with the provisions of this Resolution be rescinded upon approval of the Traffic Regulation Order.

Resolution 183-2016 was moved on a motion by Noone, seconded by Conry, and approved.

Ayes: 7; Nays: 0
Motion Carried

Resolution 184-2016 – Resolution Opposing the Closure of the At-Grade Rail Crossing of Norfolk Southern Corporation’s Washington Secondary Track with Railroad Avenue in the Borough of Washington

RESOLUTION 184-2016
OPPOSING THE CLOSURE OF THE AT-GRADE RAIL CROSSING OF NORFOLK SOUTHERN CORPORATION’S WASHINGTON SECONDARY TRACK WITH RAILROAD AVENUE IN THE BOROUGH OF WASHINGTON

WHEREAS, the Borough Council of the Borough of Washington, along with the Washington Township Police Department, the Washington Borough Fire Department, the Warren Hills Regional School District, and many residents of the Borough of Washington oppose the closing of the at-grade crossing of Norfolk Southern Corporation’s Washington Secondary Track with Railroad Avenue; and

WHEREAS, the closing of the crossing would increase public safety response times, hinder access to the railyard located east of the crossing, create barriers to school transportation vehicles, cause significant inconvenience to residents; and

WHEREAS, the New Jersey Department of Transportation’s Railroad and Engineering Safety Unit is responsible for all reviews and programs involving changes and improvements to all public rail crossings in New Jersey that are designed in compliance with Federal Railroad Administration guidelines, as well as conducting Diagnostic Team Reviews on all changes to railroad at-grade crossings, all matters related to Quiet Zone crossing applications, any Local Aid project within 1000 feet of an at-grade crossing on the approach roadway, any project that is parallel to a railroad within 200 feet; and

WHEREAS, the Borough of Washington wishes to express its opposition to the closing of the at-grade crossing with Railroad Avenue due to the increased risk to public safety, burden on school transportation, and local residents;

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington requests that Norfolk Southern Corporation reverse its decision to close the at-grade crossing with Railroad Avenue and that the matter be referred to the New Jersey Department of Transportation’s Exception Review Committee for determination of further action.

Resolution 184-2016 was moved on a motion by Noone, seconded by Klimko, and approved.

Ayes: 7; Nays: 0
Motion Carried

Resolution 185-2016 – A Resolution Authorizing the Release of Funds from Eric G. Rosseland Escrow Account Held in Trust by the Borough of Washington

RESOLUTION #185-2016
A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS FROM
ERIC G. ROSSELAND ESCROW ACCOUNT HELD IN TRUST
BY THE BOROUGH OF WASHINGTON

WHEREAS, Eric G. Rosseland has requested the return of the funds remaining in the escrow account #7760883483; and

WHEREAS, Scholl, Whittlesey & Gruenberg, LLC have certified that their final invoice has been paid for services rendered for the variance application and no action was required by the Borough Engineers in regard to the application;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Municipal Treasurer is hereby authorized to issue a check to Eric G. Rosseland in the amount of \$54.00 to close escrow account #7760883483.

Resolution 185-2016 was moved on a motion by Conry, seconded by Noone, and approved.

ROLL CALL: Conry, Noone, Heinrich, Higgins, Klimko, Thompson, McDonald
Ayes: 7; Nays: 0
Motion Carried

Resolution 186-2016 – Statewide Insurance Fund – Resolution Appointing Fund Commissioner for 2017

RESOLUTION 186-2016
STATEWIDE INSURANCE FUND
RESOLUTION APPOINTING FUND COMMISSIONER

WHEREAS, the Borough of Washington, (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Washington that Matthew C. Hall is hereby appointed as the Fund Commissioner for the Local Unit for the year 2017; and

BE IT FURTHER RESOLVED that Natasha Turchan is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2017; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Resolution 186-2016 was moved on a motion by Conry, seconded by Klimko, and approved.

Ayes: 7; Nays: 0
Motion Carried

Resolution 187-2016 – Authorizing Budget Transfers for Fiscal Year 2016 Appropriations in the Amount of \$3,500.00 in the Current Fund

**RESOLUTION 187-2016
AUTHORIZING BUDGET TRANSFERS FOR FISCAL YEAR 2016 APPROPRIATIONS
IN THE AMOUNT OF \$3,500.00 IN THE CURRENT FUND**

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriations transfers during the last two (2) months of the fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in the excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Borough of Washington, County of Warren, State of New Jersey, the Chief Financial Officer Natasha S. Turchan, be and the same is hereby authorized to make transfers among the Fiscal Year 2016 Budget in the amount of \$3,500.00 in the Current Fund as follows:

	TO:	FROM:
Finance		
Other Expenses	3,500.00	
Social Security		3,500.00
Other Expenses		

3,500.00 3,500.00

Resolution 187-2016 was moved on a motion by Conry, seconded by Noone, and approved.

ROLL CALL: Conry, Noone, Heinrich, Higgins, Klimko, Thompson, McDonald

Ayes: 7; Nays: 0

Motion Carried

VOUCHERS

A motion was made by Conry, seconded by Thompson, to approve the vouchers and claims in the amount of \$1,149,971.44.

Council Discussion

Councilwoman Klimko would like the DPW to purchase in quantity to be more cost efficient. M. Hall will speak to the DPW Supervisor. M. Hall updated Mayor McDonald on his COAH transfer question from the last meeting stating it was an internal transfer, not a payment. Councilwoman Klimko asked if internet service at the pool house is still needed. M. Hall will look into this.

ROLL CALL: Conry, Thompson, Heinrich, Higgins, Klimko, Noone, McDonald

Ayes: 7; Nays 0

Motion Carried

RECAP

M. Hall will work on the abandoned property registration ordinance, the Borough's purchasing issues with DPW, and a possible seasonal arrangement with Comcast.

COUNCIL REMARKS

Councilman Heinrich reported the Senior Advisory trip to Longwood Gardens went well. A sub-website is being created to allow seniors easier navigation and will be presented next year for Council review. Councilman Heinrich updated Council on Senior trips planned for 2017.

Councilwoman Noone encouraged everyone to attend the Hometown Holiday.

Councilwoman Conry would like an update on 149 N. Lincoln Avenue as well as on a "Do Not Enter" sign she requested on Youmans Avenue.

Councilman Thompson asked everyone to remember our veterans.

Councilwoman Klimko spoke of the possibility of using crossing guards to enforce 2-hour parking and handicapped parking. Council discussed with Lieutenant Teter.

Councilman Higgins noted tomorrow is the 75th anniversary of the bombing of Pearl Harbor. With regards to 149 N. Lincoln Avenue, Councilman Higgins asked if the gas and water lines have been capped and if there is asbestos inside. M. Hall provided an update. Councilman Higgins stated because of the resolution passed by Council, Senator Doherty will contact the Railroad Commissioner stating the Borough's opposition to the closing of Railroad Avenue. Councilwoman Higgins would like to change professional appointment resolutions to read "one year or at the discretion of Council". M. Hall will review this with the Borough Attorney. He would like Council to consider what committees they would like to be on as well as being a liaison to a department for 2017.

Mayor McDonald provided information to Councilmen Heinrich and Thompson from the League of Municipalities conference.

Council took a short recess before entering into Executive Session.

EXECUTIVE SESSION

A motion was made by Noone, seconded by Conry, to approve Resolution 188-2016 - Authorizing Executive Session for the purpose of discussing a collective bargaining agreement matter and two pending litigation matters at 8:45 pm.

Ayes: 7 Nays: 0
Motion Carried

RESOLUTION # 188-2016 **AUTHORIZING EXECUTIVE SESSION**

WHEREAS, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

WHEREAS, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

_____A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public
(Provision relied upon: _____);

_____A matter where the release of information would impair a right to receive funds from the federal government;

_____A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

X_____A collective bargaining agreement, or the terms and conditions thereof (Specify contract: CWA);

_____A matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; Real Estate Acquisitions

_____Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____Investigations of violations or possible violations of the law;

X_____Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is: _____ The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

X_____Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is:

_____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

_____Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: _____ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

_____Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

A motion was made by Noone, seconded by Heinrich, to come out of Executive Session at 9:51 pm.

Ayes: 7 Nays: 0
Motion Carried

A motion was made by Higgins, seconded by Conry, to approve the Shared Service Agreement for the Municipal Court.

ROLL CALL: Higgins, Conry, Heinrich, Klimko, Noone, Thompson, McDonald
Ayes: 7; Nays 0
Motion Carried

A motion was made by Conry, seconded by Noone, to approve the CWA Contract as discussed in Executive Session.

ROLL CALL: Conry, Noone, Heinrich, McDonald
Ayes: 4; Nays 1 (Klimko); Abstain: 2 (Higgins, Thompson)
Motion Carried

ADJOURNMENT

Hearing no further business, a motion was made by Thompson, seconded by Noone, to adjourn the meeting at 9:55 pm.

Ayes: 7 Nays: 0
Motion Carried

Mayor Scott McDonald

Ann Kilduff, RMC Borough Clerk